

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Christopher J. BURNS et al.

Application No.: 10/581,534

Filed: December 3, 2004 (Int'l)

For: TUBULIN INHIBITORS

Confirmation No.: 6170

Art Unit: 1624

Examiner: Douglas M. Willis

**AMENDMENT UNDER 37 C.F.R. § 1.111/
RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to a Restriction Requirement herein, mailed 31 August 2009, time for response to which was set to expire 30 September 2009. A petition for an extension of time of one (1) month until 31 October 2009 is attached hereto, along with the required fee.

Applicants hereby elect to prosecute a portion of the subject matter of Group II wherein X¹ and X² are N and X³ and X⁴ are C. Although these compounds were identified in claims 7-9, 12 and 14, they are also set forth in claim 10 which has been made the basis for the proposed amended claims.